

PUBLIC HEALTH CODE (EXCERPT)
Act 368 of 1978

***** 333.17757 THIS SECTION IS AMENDED EFFECTIVE MARCH 28, 2017: See 333.17757.amended

333.17757 Price information; notice; receipt evidencing transactions; omission; retention of copy of receipt; rules.

Sec. 17757. (1) Upon a request made in person or by telephone, a pharmacist engaged in the business of selling drugs at retail shall provide the current selling price of a drug dispensed by that pharmacy or comparative current selling prices of generic and brand name drugs dispensed by that pharmacy. The information shall be provided to the person making the request before a drug is dispensed to the person. A person who makes a request for price information under this subsection is not obligated to purchase the drug for which the price or comparative prices are requested.

(2) A pharmacist engaged in the business of selling drugs at retail shall conspicuously display the notice described in subsection (3) at each counter over which prescription drugs are dispensed.

(3) The notice required under subsection (2) shall be in substantially the following form:

NOTICE TO CONSUMERS
ABOUT PRESCRIPTION DRUGS

Under Michigan law, you have the right to find out the price of a prescription drug before the pharmacist fills the prescription. You are under no obligation to have the prescription filled here and may use this price information to shop around at other pharmacies. You may request price information in person or by telephone.

Every pharmacy has the current selling prices of both generic and brand name drugs dispensed by the pharmacy.

Ask your pharmacist if a lower-cost generic drug is available to fill your prescription. A generic drug contains the same medicine as a brand name drug and is a suitable substitute in most instances.

A generic drug may not be dispensed by your pharmacist if your doctor has written "dispense as written" or the initials "d.a.w." on the prescription.

If you have questions about the drugs that have been prescribed for you, ask your doctor or pharmacist for more information.

To avoid dangerous drug interactions, let your doctor and pharmacist know about any other medications you are taking. This is especially important if you have more than 1 doctor or have prescriptions filled at more than 1 pharmacy.

(4) The notice required under subsection (2) shall also contain the address and phone number of the board and the department. The text of the notice shall be in at least 32-point bold type and shall be printed on paper at least 11 inches by 17 inches in size. The notice may be printed on multiple pages.

(5) The department shall provide a copy of the notice required under subsection (2) to each licensee. The department shall provide additional copies if needed. A person may duplicate or reproduce the notice if the duplication or reproduction is a true copy of the notice as produced by the department, without any additions or deletions.

(6) The pharmacist shall furnish to the purchaser of a prescription drug at the time the drug is delivered to the purchaser a receipt evidencing the transactions that contains all of the following:

- (a) The brand name of the drug, if applicable.
- (b) The name of the manufacturer or the supplier of the drug, if the drug does not have a brand name.
- (c) The strength of the drug, if significant.
- (d) The quantity dispensed, if applicable.
- (e) The name and address of the pharmacy.
- (f) The serial number of the prescription.
- (g) The date the prescription was originally dispensed.
- (h) The name of the prescriber or, if prescribed under the prescriber's delegatory authority, the name of the delegatee.

(i) Except as otherwise authorized under section 5110, 17744a, or 17744b, the name of the patient for whom the drug was prescribed.

(j) The price for which the drug was sold to the purchaser.

(7) The items required under subsection (6)(a), (b), and (c) may be omitted from a receipt by a pharmacist only if the omission is expressly required by the prescriber. The pharmacist shall retain a copy of each receipt furnished under subsection (6) for 90 days. The inclusion of the items required under subsection (6) on the

prescription container label is a valid receipt to the purchaser. Including the items required under subsection (6) on the written prescription form and retaining the form constitutes retention of a copy of the receipt.

(8) The board may promulgate rules to implement this section.

History: 1978, Act 368, Eff. Sept. 30, 1978;—Am. 1986, Act 304, Eff. Mar. 31, 1987;—Am. 2011, Act 210, Imd. Eff. Nov. 8, 2011;—Am. 2013, Act 186, Eff. Mar. 14, 2014;—Am. 2014, Act 311, Imd. Eff. Oct. 14, 2014;—Am. 2014, Act 525, Imd. Eff. Jan. 14, 2015.

Popular name: Act 368